

MAR 03 2015

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

Clerk, U.S. District Court
District Of Montana
Missoula

ROBERT H. GRIFFIN, JR.,

Plaintiff,

vs.

DAN LINDER, ALAN BROOKS,
DANNY THOMPSON, ERIC
MORRISON, MARK ASKVIG,
PAULA SULLIVAN, JARED LAKO,
JUSTIN SMITH, and BRYCE
MIDDLETON,

Defendants.

CV 14-228-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his order, findings, and recommendations in this case on February 5, 2015, recommending that Plaintiff Griffin's Complaint be dismissed as to some of the defendants and served on others. Griffin failed to timely object to the findings and recommendations, and so waived the right to *de novo* review of the record. 28 U.S.C. § 636(b)(1). The Court will therefore review the record for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach.*, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). The Court adopts Judge Lynch's findings and recommendations

in full.

Judge Lynch found, and this Court agrees, that Griffin fails to allege any facts implicating Defendants Morrison, Askvig, Sullivan, Lako, Smith, and Middletown, and that therefore his Complaint should be dismissed without prejudice as to those individuals. The Complaint does allege facts implicating Defendants Linder, Brooks, and Thompson, and Judge Lynch accordingly ordered that they respond to the Complaint. Judge Lynch's order, findings, and recommendations are entirely consistent with Rule 8 of the Federal Rules of Civil Procedure and 28 U.S.C. § 1915.

IT IS ORDERED that Judge Lynch's findings and recommendations (Doc. 8) are ADOPTED IN FULL. Defendants Morrison, Askvig, Sullivan, Lako, Smith, and Middletown are DISMISSED WITHOUT PREJUDICE. This action remains pending against Defendants Linder, Brooks, and Thompson.

DATED this 3rd day of March, 2015.



Dana L. Christensen, Chief Judge
United States District Court